

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

**SIWELL, INC. d/b/a CAPITAL
MORTGAGE SERVICES OF TEXAS,**

Plaintiff,

v.

**ALEXI VOLOSEVICH, TAMMY
SEWELL, JOSEPH JAMES REAL
ESTATE, FOUNDATION REAL ESTATE,
and CLEAR SKIES TITLE AGENCY LLC.**

Defendants.

Docket No. 2:21-cv-13852-JXN-CLW
2021 NOV 3 P 2:33

A CIVIL ACTION

NOTICE OF MOTION TO DISMISS

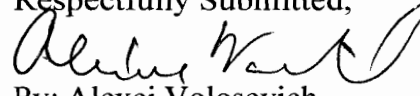
Return Date: November 2, 2021

PLEASE TAKE NOTICE that, on Wednesday, January 19, 2022 at 10:00 am or as soon thereafter as the defendant may be heard, Defendant Foundation Real Estate, shall move before the Honorable Cathy L Waldor., at the Martin Luther King, Jr. Courthouse, 50 Walnut Street, Newark, New Jersey, Courtroom 5D, pursuant to Federal Rule of Civil Procedure 12(b)(6), for an order dismissing all claims against Foundation Real Estate;

PLEASE TAKE FURTHER NOTICE that in support of the Motion, defendant states that Foundation Real Estate was not in existence during the time of mentioned transaction at 140 Badger Ave in Newark NJ 07106. Joseph James Real Estate was the brokerage and its broker was the agent representing both the seller and the buyer. It seems that Joseph James Real Estate is no longer in business and Alexei has no way of reaching the Errors and Omissions Policy to get counsel.

Dated: November 3, 2021

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Alexei Volosevich', with a large, stylized flourish at the end.

By: Alexei Volosevich

655 Kearny Ave Ste 203

Kearny, NJ 07032

CLERK OF COURT
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